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## REMARKS

These remarks are responsive to the Final Office Action of April 11, 2007. Claims 1-16 are pending in this application. Claims 9-16 have been withdrawn. Reconsideration and allowance of the instant application are respectfully requested. Each of the rejections set forth in the Office Action is addressed below.

## DECLARATION/ SECTION 102

Attached hereto is a supplemental declaration under 37 C.F.R. § 1.131, attesting to the fact that the acts relied upon to establish the date of invention prior to the Mar. 17, 2003 priority date of Pfenniger were carried out in the United States.

Accordingly, it is believed that the rejection of claims 1-8 under 35 U.S.C. § 102(e) has been fully addressed.

## CONCLUSION

Pending claims 1-8 are believed to be in form for allowance, and an indication to that effect is respectfully requested at this time. Examination of withdrawn claims 9-16 is respectfully requested at this time. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 03-2455.

Respectfully submitted,

Robert Moskovich et al.

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